

EPA. That is for sure. We have 175 million acres of wetlands. So this creates challenges.

Unlike most of the lower 48, we have not dredged and filled these areas in the past. If you look at the east coast, at its environments—no offense to some of my colleagues whose States are up the corridor here—holy cow. And you wonder about my environment? Geez Louise. But it is hard to do compensation for projects where you haven't had dredge and fill before, because we have so many wetlands. So, in 2018, the Corps of Engineers and the EPA had an MOU to address some of these mitigation challenges. It wasn't controversial; it was creative. I thought Secretary Regan thought it was creative when I talked to him about it. So we just asked for a continuation of this. These are really simple commitments, good ideas—couldn't get it from the Secretary.

Now, look, here's my own view. I think Mr. Regan wanted to—I explained these to him. I think he was reasonable, someone who has done this in his State and knows each State is unique. He cares about jobs. He cares about environmental justice. That is a big issue in my State when a lot of these communities that are getting targeted are actually Alaska Native communities. They are killing jobs in those communities. That is environmental justice; that is for sure. So my instinct was he wanted to make these commitments, but I think he was told no. I don't know that, but I'm pretty—well, I can't say. But I think he was told no by the White House. This raises a much bigger concern about this nominee.

My good friend, the esteemed Senator from West Virginia, Senator CAPITO, was on the floor earlier. She also sits on the EPW Committee. She is the ranking member on the committee. She gave a really important speech on why she also voted no for Mr. Regan. And I think she had the same feeling I did. He knows the issues, is qualified, cares about different States' challenges. But she raised a concern that I want to reiterate because I think it is going to be a really big concern, and I think it is going to come to a head here soon, and that is this: There is concern, not just among Republican Senators—it is all over the press, and she cited it—that Mr. Regan, who is now the EPA Administrator might not be the person in charge of the EPA. Now he's Senate-confirmed. He is the one who has to come before the Congress for hearings, for oversight, but what are we talking about here?

Well, the former EPA Administrator, Gina McCarthy, is in the White House. She is out talking to the press all the time. She's an unaccountable czar on these issues, working behind the scenes—and, actually, not even behind the scenes. She was recently quoting about herself, saying she's the orchestra leader of all of these issues.

Wait, what about the EPA Administrator? I thought he was the Senate-

confirmed person nominated by the President. The big, big concern is that he is not going to have the authority or the decision-making capacity and is going to be told what to do by a shadow EPA working out of the White House run by Gina McCarthy. That is not just me. That is not just Senator CAPITO. That is all over the press. Read it. Inside EPA—she was quoting from that, Senator CAPITO was. No transparency there? All these previous Obama administration EPA alumnae in the White House running it.

By the way, if I am the new EPA Administrator, Mr. Regan, I wouldn't want that notion out there. But with all due respect, sir—and, again, congratulations—it is out there, and you need to tamp this down because it is going to come to a head.

Look, my State did not fare well under the Gina McCarthy EPA. There is a long list: the waters of the United States—I won't get into the details of the disrespect to my constituents. Armed EPA officials with body armor, rifles, were going after gold miners and placer miners in Alaska because they thought they were violating the Clean Water Act. No kidding. Read about it. Chicken, AK—go Google that. We were not big fans.

So I believe Mr. Regan wants to work with Alaskans. I believe he understands the concept of cooperative federalism on these environmental issues. I don't believe he would authorize armed guards to terrify small placer miners in the interior of Alaska the way the previous Administrator McCarthy did and talk to the press in a blatantly disrespectful way to my fellow Alaskans. It was shameful, in my view. But this issue is going to come to a head.

Who is in charge? Regardless of whether you are a Democrat or Republican, if you voted for the EPA Administrator or you didn't, we want him in charge because he is the Senate-confirmed official nominated by the President, not an unelected official in the White House who I guarantee wouldn't have been able to get confirmed. So it is going to be a challenge.

And it is not just Gina McCarthy. We had an EPW hearing today, and I raised the issue of the other czar—John Kerry, the former Senator. But he is not confirmed. He hasn't been appointed to a Senate-confirmed job. He and the President are at loggerheads on a really big issue. President Biden, the President of the United States, recently in a meeting reported by the press with labor leaders, said: I am all in on natural gas. That is important. That is a huge issue for our environment and our workers. The President of the United States said "I am all in on natural gas" to the men and women who build pipelines. He told them that recently in a White House meeting. He is the President of the United States.

Now John Kerry—I think some people think he is President of the world. He is flying around on his airplane

right now, and he is telling people he is not for natural gas. Well, I wonder who is going to win that debate.

But this goes to this issue: These are going to come to a head. Who is in charge here—the President of the United States or the President of the world—on natural gas? I hope it is the President of the United States because natural gas is going to be key for our workers, for our environment, for our national security. And at the EPA level, who is in charge? Mr. Regan? I hope so. Or Gina McCarthy? It is looking more and more like she is in charge.

So that is why a number of us, despite being impressed, wanting to work with the new EPA Administrator voted no, and I certainly hope that the unaccountable team of McCarthy and Kerry in the White House are not going to be running the policy, but it is going to be the people who were actually confirmed by the U.S. Senate because that is the way our system of government is supposed to work.

So, Mr. President, for those reasons, although I again want to congratulate Mr. Regan, I respectfully declined to support his nomination, and we will see. We will see who is going to be ultimately in charge.

I want to work with him and his team. These issues are so important to my State. I want him to help convince others in the Biden White House for the ceasefire that my constituents need.

We need to get to work, and I am hoping he is going to be a constructive partner in that regard.

#### NATIONAL GUARD

Mr. SULLIVAN. Mr. President, most mornings I get up kind of early, and I go for a run on the Mall, run by the Capitol, this beautiful building, the Senate, the House, the people's house, which recently was open for all of us to enjoy. And now, as most Americans know, it is ringed with gates and razor wire and troops. It looks a little bit like the Green Zone in Baghdad, not the U.S. Capitol.

Here's the thing. When I go running—I do this most mornings; I did it this morning—you see these wonderful National Guard men and women who are serving their country still here behind the fence, behind the razor wire. And they are literally about every 50 yards, sometimes closer, standing post all night—all night—hundreds of them, American soldiers.

They are doing their duty, and we all appreciate it. I talk to them. I just say: Hey, how you guys doing? How is morale? You want to be here? You think it is time to go home? I think it is time for you to go home, and I am going to try and help you with that.

Now, look, most are stoic. They are tough. They are soldiers doing their job. But make no mistake, they want to go home. They are standing their post all night, 1, 2, 3 in the morning,

every 50 yards, for what? For what? I don't think they know what for, and neither do I.

Now the assault that took place on our democracy on January 6 was a dark day for our country, no doubt. I will remember that for the rest of my life. But the Members of Congress did something really important that same day. We reconvened right here in the U.S. Senate, even amid some of the broken glass and smashed doors in the House. We finished our constitutional duty to count the electoral college votes. The rioters that day—who should be prosecuted—did not win. That was important.

But that was 3 months ago, and our Nation's Capitol is still decked in layer upon layer of barbed wire and metal fencing. More than 5,000 troops still roam the Capitol instead of being where they know they should be: home with their families, back to their jobs—these are National Guard members, so their work is obviously being disrupted—and back to their States and their communities.

The cost of keeping them here since January at this juncture is over a half billion dollars. But here's the thing: I pay close attention to these issues. I keep asking: OK, I understand this; they were here after the 6th, and they were here for the inauguration, but what is the threat now? Give me an intel threat—a credible intel threat—that requires 5,000 troops and razor wire all across the U.S. Capitol, the people's house. What is the credible intel? I have not gotten any credible intel that I am aware of.

We learned yesterday that the Secretary of Defense approved the request for these soldiers to be here for another 60 days. Here is what you didn't hear about in those reports. I have a lot of respect for the Secretary of Defense. As a matter of fact, as I mentioned in my remarks earlier, I introduced him at his confirmation hearing. But this decision on whether there should be troops here or not is actually not his decision. It is our decision. It is the Members of Congress's decision. That is the threshold issue: Should we still

have the troops here? It is the majority leader's decision. It is the Speaker of the House's decision. So why do we still have troops here? Why is the Capitol still in high security lockdown?

I think it would be really important for the majority leader to come to the floor and not only tell us but tell the troops, tell the American people what is going on.

Remember, this is not our House. This is not our building. This belongs to the people of America. We are privileged to be here, certainly, but we need answers.

And I will tell you who else needs answers. The troops need answers.

My own view is we need to get these troops home. We need to tear down the wall. We need to open the gate. And this is not just my view; this is a widely held view. Democrats and Republicans all agree.

Just look around the Capitol Hill neighborhoods. These signs are everywhere. So are other signs. "Free the People's House." "Don't Fence the Capitol."

What is happening right now—we all love our military. Our military normally is a symbol of strength for America. But right now, the military here is not a symbol of strength. We are telling the world, through razor wire, that American democracy is fragile and that it is afraid. American democracy is not fragile, and it is not afraid. So these troops are a symbol not just to Americans but to the rest of the world that the Capitol lives in fear or weakness.

There was evidently some kind of vague—it wasn't credible—threat on March 4 from some nutjob group, QAnon—however the heck you pronounce it—and we had the entire House on the other side of this great building call it quits, went home, and said: We are not going to do any work. That is exactly the wrong answer. That is not what we did on January 6.

So what we need is we need our leaders in the House and in the Senate to come down here and tell us why we are still in an armed camp. One can't help but wonder if there is something else

going on here. Why do the leaders of the House and Senate still want thousands of troops and razor wire around the Capitol? I hope they don't fear the people they represent. I don't fear my constituents. Is there intel that they have that we don't know about? How long can we expect this green zone in our Nation's Capital to continue? The American people need answers.

But here is the key issue. At the end of the day, this is a law enforcement problem. It is not a military problem. To make it a military problem is dangerous. If the Capitol Police need more officers, then let's have that discussion, but we are a citizen-controlled government, and our military, whom I respect so much, should not be used for an extended period of time here on the Capitol grounds to handle a law enforcement issue, especially at the most important symbol of democracy in America, probably the most important symbol of democracy in the world.

So here is what we need to do. It is time to tear these walls down, open these gates, and send our brave National Guard troops home.

I yield the floor.

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ADJOURNMENT UNTIL 10:30 A.M.  
TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10:30 a.m.

Thereupon, the Senate, at 7:03 p.m., adjourned until Thursday, March 11, 2021, at 10:30 a.m.

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#### CONFIRMATIONS

Executive nominations confirmed by the Senate March 10, 2021:

DEPARTMENT OF HOUSING AND URBAN  
DEVELOPMENT

MARCIA LOUISE FUDGE, OF OHIO, TO BE SECRETARY OF  
HOUSING AND URBAN DEVELOPMENT.

ENVIRONMENTAL PROTECTION AGENCY

MICHAEL STANLEY REGAN, OF NORTH CAROLINA, TO  
BE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY.

DEPARTMENT OF JUSTICE

MERRICK BRIAN GARLAND, OF MARYLAND, TO BE ATTORNEY GENERAL.